

**UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION**

IN RE:) **Case No. 11-56072**
)
STEPHEN M. SMITH and) **Chapter 11**
SUZANNE S. SMITH,)
)
Debtors.)
)

AMENDMENT TO DEBTORS' PLAN OF REORGANIZATION

COME NOW, Debtors, Stephen M. Smith and Suzanne S. Smith ("Mr. and Mrs. Smith" or "Debtors"), and hereby amend Debtors' Plan of Reorganization ("the Plan"), and shows the Court as follows:

1.

The Debtors are currently acting as Debtors-in-Possession in this case, pursuant to 11 U.S.C. § 1107.

2.

The Debtors filed a Plan of Reorganization on August 5, 2011 (Docket #64).

3.

Pursuant to 11 U.S.C. § 1127, the Debtors hereby amend their Chapter 11 Plan as follows:

(a) The Debtors amend Classification and Treatment of Class 1 (Priority Tax Claims) to reflect that said claims do not require a vote, pursuant to 11 U.S.C. § 1123 (a)(1). Each of said claims will be treated pursuant to 11 U.S.C. § 1129(a)(9)(c) by payment in full (100%) over thirty-six (36) months "of a total value, as of the effective date of the plan, equal to the allowed amount of such claim."

(b) The Debtors amend the treatment of Bank of America N.A. in Class 4 under the Plan to reflect that in addition to re-assumption of the contractual mortgage payments on October 1, 2011, the Debtors will additionally pay Bank of America on a monthly basis (beginning in October 2011) the accrued mortgage arrearage of \$24,267.62 in equal monthly payments over sixty (60) months in addition to the normal monthly payments.

WHEREFORE, the Debtors request that the Court file this Amendment to the above Plan and confirm said Plan as amended, and grant them such other and further relief as is just and equitable.

Respectfully submitted, this 13th day of September, 2011.

MOZLEY, FINLAYSON & LOGGINS.LLP

S/ Joseph J. Burton, Jr.
Georgia Bar No. 097875

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CERTIFICATE OF SERVICE

This is to certify that I served a true and correct copy of the within and foregoing pleading on all interested parties by depositing the same in the United States mail with sufficient postage affixed to insure delivery to the following:

Martin Ochs, Esq.
Office of the U.S. Trustee
362 Richard Russell Building
75 Spring Street, SW
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Debbie Conley, Esq.
McCalla Raymer, LLC
Bankruptcy Dept.
1544 Old Alabama Road
Roswell, GA 30076-2102

This 13th day of September, 2011.

/S/ Joseph J. Burton, Jr.
Georgia Bar No. 097875

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